



BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2014-0567; FRL-9915-58]

### Agency Information Collection Activities; Proposed Collection; Comment Request

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA), this document announces that EPA is planning to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB). The ICR, entitled: “Pesticide Program Public Sector Collections (FIFRA Sections 18 and 24(c))” and identified by EPA ICR No.

2311.02 and OMB Control No. 2070-0182, represents the renewal of an existing ICR that is scheduled to expire on May 31, 2015. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection that is summarized in this document. The ICR and accompanying material are available in the docket for public review and comment.

**DATES:** Comments must be received on or before *[insert date 60 days after date of publication in the Federal Register]*.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2014-0567, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail*: OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Hand Delivery*: To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at

*<http://www.epa.gov/dockets/contacts.html>.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *<http://www.epa.gov/dockets>*.

**FOR FURTHER INFORMATION CONTACT:** Rame Cromwell, Field External and Affairs Division (7506P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: 703 308-9068, email address: *[cromwell.rame@epa.gov](mailto:cromwell.rame@epa.gov)*.

## **SUPPLEMENTARY INFORMATION:**

### **I. What Information is EPA Particularly Interested in?**

Pursuant to PRA section 3506(c)(2)(A) (44 U.S.C. 3506(c)(2)(A)), EPA specifically solicits comments and information to enable it to:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility.
2. Evaluate the accuracy of the Agency's estimates of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
3. Enhance the quality, utility, and clarity of the information to be collected.

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. In particular, EPA is requesting comments from very small businesses (those that employ less than 25) on examples of specific additional efforts that EPA could make to reduce the paperwork burden for very small businesses affected by this collection.

## **II. What Information Collection Activity or ICR Does this Action Apply to?**

*Title:* Pesticide Program Public Sector Collections (FIFRA) Sections 18 and 24(c).

*ICR number:* EPA ICR No. 2311.02.

*OMB control number:* OMB Control No. 2070-0182.

*ICR status:* This ICR is currently scheduled to expire on May 31, 2015. An Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the Code of Federal Regulations (CFR), after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

*Abstract:* This ICR covers the paperwork burden under the PRA associated with two types of pesticide registration requests made by states, U.S. Territories, or Federal

agencies. Specifically, this ICR covers emergency exemption requests, which allow for an unregistered use of a pesticide, and requests by states to register a pesticide use to meet a special local need (SLN). Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) authorizes the EPA to grant emergency exemptions to states, U.S. Territories, and Federal agencies to allow an unregistered use of a pesticide for a limited time if EPA determines that emergency conditions exist. Section 18 requests include unregistered pesticide use exemptions for specific agricultural, public health, and quarantine purposes. Section 24(c) of FIFRA authorizes the EPA to grant permission to a particular state to register additional uses of a federally registered pesticide for distribution and use within that state to meet a SLN.

*Burden statement:* The annual public reporting and recordkeeping burden for this collection of information is estimated to average 18,315 hours annually for state government “applicants” for FIFRA section 18 program, and for applicants under the FIFRA 24(c) program an annual estimate of 15,860 hours, for a combined total of 34,175 burden hours annually. Burden is defined in 5 CFR 1320.3(b).

The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is only briefly summarized here:

*Respondents/Affected Entities:* Entities potentially affected by this ICR are pesticide registrants, which may be identified by pesticide and other agricultural chemical manufacturing (North American Industrial Classification System (NAICS) code 325320) and governments that administer environmental quality programs (NAICS code 9241).

*Estimated total number of potential respondents:* 980

*Frequency of response:* On occasion.

*Estimated total average number of responses for each respondent:* 1.

*Estimated total annual burden hours:* 34,175 hours.

*Estimated total annual costs:* \$2,332,954. This includes an estimated cost of \$1,086,403 for the Section 18 program and an estimated cost of \$1,236,551 for the Section 24(c) program. This ICR does not involve any capital investment or maintenance and operational costs.

### **III. Are There Changes in the Estimates from the Last Approval?**

There is no change in the estimated respondent burden hours per SLN application for this ICR from the currently-approved ICR for Section 24(c) applications, for either registrants or states. The total annual respondent burden estimate (registrants + states) has decreased slightly from 16,900 to 15,860 hours due to a small decrease in the average number of petitions received annually, from about 325 to 305. Although EPA does not require Section 24(c)'s and cannot estimate precisely how many submissions will be received in the future, the Agency expects to receive approximately 305 Section 24(c) applications annually over the next 3 years. As a result of the decrease in the number of applications and updating the wage rates, the estimated respondent cost increased slightly from \$1.235 million to \$1.237 million.

The estimated unit burden for a given FIFRA section 18 application is unchanged. EPA estimates an increase in the number of section 18 application submissions and estimated annual burden relative to the existing, approved collection. EPA estimates that the total annual respondent burden has increased from 12,672 hours to about 18,315 hours. The increase corresponds with an increase in the average number of Section 18s

requested per year, from 128 to 185. Although EPA does not require Section 18s and cannot estimate precisely how many submissions will be received in the future, the Agency expects to receive approximately 185 Section 18 applications annually over the next 3 years. As a result of the increase in the number of applications and updating the wage rates, the estimated respondent cost increased from \$739 thousand to \$1.086 million.

#### **IV. What is the Next Step in the Process for this ICR?**

EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval pursuant to 5 CFR 1320.12. EPA will issue another **Federal Register** document pursuant to 5 CFR 1320.5(a)(1)(iv) to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. If you have any questions about this ICR or the approval process, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

**Authority:** 44 U.S.C. 3501 *et seq.*

Dated: September 5, 2014.

James Jones,  
*Assistant Administrator, Office of Chemical Safety and Pollution Prevention.*

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